

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3286 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?

4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

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AHMEDHUSAIN HAJI ABDULKARIM SHAIKH

Versus

STATE OF GUJARAT

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Appearance:

MR PUROHIT for Petitioner  
MR VM PANCHOLI, AGP for Respondents

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CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 28/06/1999

ORAL JUDGEMENT

Heard Mr Purohit, learned counsel for the  
petitioner and Mr V.M. Pancholi, learned AGP for the  
respondents.

2. The petitioner has challenged the order passed by  
the State Government under Section 34 of the Urban Land  
(Ceiling & Regulation) Act, 1976 and consequential orders  
passed by the authorities under the Act. The authorities  
had not taken over possession of the land in question  
from the petitioner, which fact is not in dispute in view

of the ad-interim relief granted on 13.5.1992.

3. The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March, 1999, passed under Article 252 (2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the orders impugned in the present petition do not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4. The petition is accordingly disposed of as having abated. There shall be no order as to costs.

June 28, 1999 (M.S. Shah, J.)

sundar/-